

MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN

A PROFESSIONAL CORPORATION www.marshalldennehey.com

1220 N. Market St., 5th Floor, P.O. Box 8888 · Wilmington, DE 19899-8888
(302) 552-4300 · Fax (302) 651-7905

Direct Dial: 552-4302

Email: kconnors@mdwecg.com

June 30, 2005

VIA HAND DELIVERY AND EFILE

The Honorable Kent A. Jordan
U.S. District Court
District of Delaware
844 N. King Street, Room 4209
Lock Box 10
Wilmington, DE 19801

RE: Crother v. Dewey Beach
Our File No.: 13061-00368
C.A. # 04-913

Dear Judge Jordan:

The undersigned represents defendants, Town of Dewey Beach, Chief of Police Samuel Mackert, Patrolman Zachary Pettyjohn and John Wheatley in the above-referenced matter. Plaintiffs, Theresa Crother, George Green, Gregory A. Parise and Michael Whetstone, are represented by James Liguori, Esquire. Because of Mr. Liguori's trial schedule, I am writing to Your Honor on behalf of all parties.

Counsel for the parties jointly respectfully request that a First Amended Case Management Order be issued by the Court. Although the four plaintiffs instituted one Civil Action, plaintiffs' Complaint is actually based upon three separate incidents. Most of the plaintiffs do not reside in Delaware. The parties are interested in pursuing mediation of this matter before the incurrence of significant costs. To that end, the parties have had five separate telephone conferences in furtherance of settlement with Magistrate Judge Mary Pat Thyng, specifically on 11/29/04, 2/10/05, 4/4/05, 5/11/05 and 6/1/05. Presently, a teleconference is scheduled with Magistrate Judge Thyng for Monday, August 8, 2005. Pursuant to a Court Order issued on June 1, 2005 by Magistrate Thyng, counsel are to keep open on their calendars Wednesday, September 21, 2005 and Friday, September 23, 2005 as potential dates for mediation, if mediations in other cases currently scheduled on those dates are cancelled. Pursuant to the Court Order, Tuesday, October 18, 2005 has been formally reserved for mediation in the event that either of the two September 2005 potential mediation dates do not open up.

In the teleconference with Magistrate Thyng and counsel on June 1, 2005, Judge Thyng and counsel observed and recognized that the mediation dates are fairly near the current trial date of October 18, 2005. The parties do wish to pursue mediation. For that reason and because some additional discovery will be necessary

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to make the mediation productive and hopefully successful, the parties respectfully request an extension of current case deadlines and trial date. No prior requests for extensions or amendments to the Case Management Order have ever been requested. If Your Honor so permits, the undersigned counsel will submit a draft First Amended Case Management Order with the assistance of Mr. Liguori for Your Honor's consideration.

On behalf of the parties and counsel, I thank Your Honor for consideration of this request.

Very truly yours,

/s/ Kevin J. Connors

Kevin J. Connors
DE ID#: 2135

KJC/lar

cc: Magistrate Judge Mary Pat Thyng – Via Fax
James E. Liguori, Esquire – Via Fax
Clerk of the Court - Via E-File